

H.R. XX, The Reuniting Families Act of 2023

The Reuniting Families Act of 2023, would strengthen and reform our family-based immigration system and end the family-based backlogs, which have kept families apart for years and even decades.

Background:

Our family-based immigration system is in dire need of reform. The last significant legislative change to the family-based immigration system happened in 1990, and while our immigration system is designed to reunite families, it is currently failing to do so. There are currently almost 4 million people with approved applications waiting in the family immigration backlog to reunite with their family members. The average wait time for a permanent resident to sponsor an unmarried son or daughter from Mexico is over twenty years. The average wait time for a U.S. citizen to sponsor a sibling from the Philippines is also over twenty years.

The human impact of this separation is clear: there are parents stuck in the backlogs unable to participate in their children's lives, children unable to care for their parents as they age, and siblings who could act as caretakers instead separated from their loved ones. But there are straightforward fixes to these issues.

Solution:

The Reuniting Families Act promotes family reunification through immigration and broadens the definition of family to reflect the reality of how people immigrate, including by:

- **Recapturing Immigrant Visas Lost to Bureaucratic Delay**—The bill recaptures unused employment-based and family-sponsored visas from fiscal years 1992-2023. For future years, unused visa numbers will automatically “roll over” to the next fiscal year.
- **Removing Caps on Spouses, Permanent Partners, & Minor Children of Green Card Holders and Other Immigrants**—The bill helps spouses, permanent partners, and children under the age of 21 of lawful permanent residents who are waiting in line to reunite with their families by reclassifying them as “immediate relatives,” a category not subject to annual numerical limits. The bill also ends the practice of counting spouses, permanent partners, and children under the age of 21 of certain visa holders against the visa caps.
- **Reforming Per-Country Limits**—The bill addresses the decades-long backlogs from certain countries by raising the per-country immigration limits.
- **Providing Greater Enforcement Relief for Families**—The bill increases the government's discretion and flexibility in addressing numerous hardships, including family separation, caused by a provision that bars individuals unlawfully present in the United States from utilizing our legal immigration system.
- **Eliminating Bars to Admissibility**—The bill allows families to be reunited without the fear of permanent separation by eliminating bars to admission triggered by unlawful presence in the United States.
- **Creating Exemption from Family Visa Limit for Certain Sons and Daughters of Veterans from the Philippines**—The bill would honor the contribution of Filipino World War II veterans by reducing their children's waiting times for family-based visas.

- **Protecting Children of Visa-Holders From “Aging Out”**—The bill corrects a drafting error in the Child Status Protection Act to protect children from aging out of the visa application because of processing delays on the part of the U.S. Citizenship and Immigration Services or the Department of State.
- **Expanding Cancellation of Removal**—The bill makes cancellation of removal more accessible by recognizing a wider range of family hardships, increasing the number of cancellations that can happen each year, and establishing an affirmative application process for cancellation of removal.
- **Helping Eliminate Discrimination Facing LGBT Families in the Immigration Laws**—The bill allows citizens and legal permanent residents in binational same-sex relationships to sponsor their permanent partner for immigration to the U.S. It will also ensure that same-sex refugee partners are resettled together and that asylum grantees can have their nonmarried partners “follow to join” them in the U.S.